

Holland & Knight

Tel 212 513 3200
Fax 212 385 9010

Holland & Knight LLP
31 West 52nd Street
New York, NY 10019
www.hklaw.com

May 20, 2011

CHRISTOPHER G. KELLY
212-513-3264

Internet Address:
christopher.kelly@hklaw.com

VIA ECF

Hon. William L. Osteen, Jr.
United States District Court
Middle District of North Carolina
324 West Market Street
Greensboro, NC 27401

Re: *BASF Agro B.V., Arnhem (NL), Wädenswil Branch et al. v. Cheminova Inc.* (M.D.N.C. No. 1:10-cv-274-WO-WWD)

Dear Judge Osteen:

We are counsel for defendant Cheminova Inc. ("Cheminova").

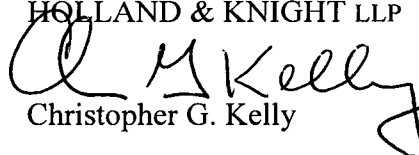
During recent scheduling conferences, Your Honor advised the parties of certain difficulties surrounding the maintenance of this case on the July 2011 trial calendar, particularly in light of pending claim construction submissions and Cheminova's pending motion for summary judgment. Your Honor has further advised that, because you are assigned to the October trial calendar, you will be able to retain this case for trial, and may have availability to try it in advance of the formal commencement of the October term.

On behalf of all parties in this case, we write to advise the Court of the parties' consent to the continuance of the *Cheminova* case (No. 1:10-cv-274) from the July to the October trial calendars. The parties respectfully request that the trial of this case proceed as soon after September 6, 2011, as the Court's schedule may allow. In light of the need to schedule the appearance of trial witnesses, some of whom may be coming from abroad, the parties would appreciate four weeks advance notice of the trial setting.

We thank Your Honor for your continued consideration in this matter.

Respectfully submitted,

HOLLAND & KNIGHT LLP


Christopher G. Kelly